

Application No. 10/007,733
Reply dated 6 December 2004
Responsive to Final Office Action mailed on 19 October 2004

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REMARKS

Request for Entry of Amendment Under 37 CFR § 1.116

Entry of the present amendments is respectfully requested. It is believed that these amendments place the pending claims in condition for allowance. The amendment of **Claim 20** could not have been presented earlier because the present rejection of this claim was not made prior to the Final Office Action. In addition, the clarification of the Examiner's requirements for the additional drawing figures was provided in the Final Office Action.

Amendment to the Description

Several paragraphs have been amended to refer to various of the new drawing figures added at the request of the Examiner.

Amendment to the Claims

Claim 20 has been amended to recite that the instructions included in the package are "for a user of the article for training the child to achieve urinary continence by performing the steps of measuring a reflexive urination volume for the child, setting the signal threshold value to correspond to a bladder volume that is less than the reflexive urination volume, using the bladder monitor to obtain the objective measurement, and identifying an appropriate continence training opportunity based on an occurrence of the signal." Support for this wording is found throughout the specification and claims as originally filed, where the recited steps are described as being steps in a method to be performed.

Amendment to the Drawings

As required in the Final Office Action, new drawing **Figures 3 through 11** have been provided in this Reply.

Each of new **Figures 3 through 10** contains a flow chart depicting the steps in a particular claim. Specifically:

- **Figure 3** corresponds to **Claim 1**;
- **Figure 4** corresponds to **Claim 4**;
- **Figure 5** corresponds to **Claim 5**;
- **Figure 6** corresponds to **Claim 6**;

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- **Figure 7** corresponds to **Claim 11**;
- **Figure 8** corresponds to **Claim 12**;
- **Figure 9** corresponds to **Claim 15**; and
- **Figure 10** corresponds to **Claim 19**.

As required in the Final Office Action, new **Figure 11** containing an isometric depiction of a package containing a bladder monitor and instructions as in **Claim 20** has also been provided in this Reply.

Objection to the Drawings

As noted above, new drawing figures have been provided in order to address the objection in the Final Office Action. Entry of the drawing amendment of this Reply is hereby respectfully requested.

Claim Rejection Under 35 U.S.C. § 112, Second Paragraph

In the subject Final Office Action, **Claim 20** was rejected under 35 USC § 112, second paragraph, as being indefinite, and it was stated that "it is unclear if the various process steps recited...[in the claim]...are, in fact, "instructions for training the child"...or...automatically-occurring functions of the bladder monitor...[or]...some other element".

Simply put, the process steps recited in **Claim 20** are neither instructions nor automatically occurring functions. Instead, they are process steps, *i.e.*, steps in a process. As such, they must be performed by the user of the product, *i.e.*, the claimed article of commerce. **Claim 20** has been amended in this Reply to recite that the instructions are "for a user of the article" and that the training of the child is to be accomplished by "performing the [recited] steps".

Thus, the revised wording clearly communicates that the recited process steps are to be performed by the user of the article. Therefore, it is respectfully averred that the rejection has been obviated by the amendment of **Claim 20**. Accordingly, it is respectfully requested that the rejection be reconsidered and withdrawn.

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Summary of this Response

No new matter has been added in this response. In light of the above amendments and remarks, it is respectfully requested that the drawing amendment be entered, that the rejection and objection be reconsidered and withdrawn, and that the pending claims be allowed.

Respectfully submitted,

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